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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,590	09/12/2003	Hirotsugu Kato	008312-0305943	7876

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EXAMINER

PATEL, NIRAV B

ART UNIT PAPER NUMBER

2135

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/660,590	KATO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nirav Patel	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/12/03 (4)</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This action is in response to the application filed on 9/12/03.
2. Claims 1-12 are under examination.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (US Pub. No. 2002/0114466) and in view of Go et al (US Pub. No. 2001/0037452).

As per claim 1, Tanaka discloses:

a first transmitter configured to transmit encrypted contents to which link information is added [Fig. 5, paragraph 0089 lines 9-11, paragraph 0091 lines 1-2, paragraph 0093 lines 1-3].

Tanaka teaches a second transmitter (i.e. license server) configured to transmit to a communication network a key/license [paragraph 0186 lines 8-10], the key/license being transmitted based on uplink data which is generated using the link information

transmitted by said first transmitter and is input via the communication network [Fig. 7, paragraph 0094, 0114-0117].

Go discloses the second transmitter configured to transmit to a communication network an encryption key usable for decrypting the contents transmitted by said first transmitter [Fig. 1 paragraph 0017 lines 1-5].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Go with Tanaka, since one would have been motivated to prevent unauthorized contents usage [Go, paragraph 0069 lines 3-4].

As per claim 5, Tanaka discloses:

a recorder unit configured to store encrypted contents as well as link information [Fig. 3 step S4]; a transmission unit configured to transmit uplink data to a communication network and said uplink data being generated based on the link information stored in the recorder unit [Fig. 7, paragraph 0114-0115].

Tanaka teaches a second transmitter (i.e. license server) configured to transmit to a communication network a key/license [paragraph 0186 lines 8-10], the key/license being transmitted based on uplink data which is generated using the link information [Fig. 7, paragraph 0094, 0114-0117].

Go discloses said uplink data requiring an encryption key for decrypting the encrypted contents; and a decryption unit configured to decrypt the encrypted contents stored in the recorder unit using the encryption key, said encryption key being obtained from the communication network using said uplink data [Fig. 1 paragraph 0017 lines 1-5, Fig. 8].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Go with Tanaka, since one would have been motivated to prevent unauthorized contents usage [Go, paragraph 0069 lines 3-4].

As per claim 9, it encompasses limitations that are similar to limitations of claim 5. Thus, it is rejected with the same rationale applied against claim 5 above.

4. Claims 2, 3, 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (US Pub. No. 2002/0114466) in view of Go et al (US Pub. No. 2001/0037452) and in view of Nagai et al (US Patent No. 6,938,162) and in view of Weidong (US Patent No. 6,819,766).

As per claim 2, the rejection of claim 1 is incorporated and Tanaka discloses:

said first transmitter includes a divider block configured to divide given contents into data units having a prescribed amount of data [Fig. 5], a processor block configured to execute encryption processing against each of the divided data units using different encryption keys [Fig. 5, paragraph 0095-0097],

a first adder block configured to add information (e.g. initial vector IV, seed) to each of the encrypted data units [Fig. 5], a second adder block configured to add the link information to encrypted contents obtained by sequentially continuing the encrypted data units [Fig. 5, paragraph 0091 lines 1-2, paragraph 0093 lines 1-3, Fig. 46,

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paragraph 0098], each of the encrypted data units having said information (e.g. IV and seed)).

Tanaka teaches adding the information (i.e. initial vector) to the each of the encrypted data units (i.e. blocks) [Fig. 5, paragraph 0095].

Weidong teaches that the initial vector is derived from a timestamp [col. 4 lines 66-67, col. 5 line1].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Weidong with Tanaka and Go, since one would have been motivated to ensure the security of the data [Weidong, col. 1 lines 15-16].

Tanaka teaches the second transmitter (i.e. license server) configured to transmit to a communication network the key/license information for the encrypted contents being transmitted by said first transmitter [paragraph 0186 lines 8-10, Fig. 1].

Go teaches the second transmitter configured to transmit to a communication network the encryption key usable for decrypting the contents transmitted by said first transmitter [Fig. 1 paragraph 0017 lines 1-5].

Tanaka and Go do not expressively mention time information.

Nagai discloses the second transmitter configured to transmit to the communication network, other time information for specifying the data unit of the encrypted contents being transmitted by said first transmitter [Fig. 20, col. 27 lines 50-59], the key corresponding to the other time information [Fig. 23] and the time information indicating reproduction timing [col. 28 lines 13-25].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Nagai with Tanaka, Go and Weidong, since one would have been motivated to prevent the unauthorized reproduction of the digital content [Nagai, col. 31 lines 19-20] and prevent unjust digital copying for the digital content [Nagai, col. 3 lines 52-54].

As per claim 3, the rejection of claim 2 is incorporated and Nagai discloses:

said second transmitter is provided with a memory configured to record the other time information and the encryption key such that the recorded other time information corresponds to the recorded encryption key [Fig. 20, 23].

As per claim 6, the rejection of claim 5 is incorporated and it encompasses limitations that are similar to limitations of claim 2. Thus, it is rejected with the same rationale applied against claim 2 above.

As per claim 10, the rejection of claim 9 is incorporated and it encompasses limitations that are similar to limitations of claim 6. Thus, it is rejected with the same rationale applied against claim 6 above.

5. Claims 4, 7, 8, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (US Pub. No. 2002/0114466) in view of Go et al (US Pub. No. 2001/0037452) and in view of Ozaki et al (US Patent No. 6,487,543).

As per claim 4, the rejection of claim 1 is incorporated and Go teaches a satellite broadcasting [paragraph 0165 lines 6-7] and IP communication over the Internet [paragraph 0046].

Ozaki discloses:

said first transmitter is provided for a broadcasting station, and said second transmitter is provided for a server to be connected to an Internet serving as said communication network [Fig. 1, 21, col. 6 lines 8-20].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Ozaki with Tanaka and Go, since one would have been motivated to prevent unauthorized contents usage and distribute the content securely [Go, paragraph 0069 lines 3-4].

As per claim 7, the rejection of claim 1 is incorporated and Ozaki teaches:

an operation part configured to display on a display screen one or more titles corresponding to the encrypted contents stored in the recorder unit, said titles displayed on the display screen being selectable [Fig. 21 or 23, col. 17 lines 55-62, col. 18 lines 1-5].

As per claim 8, the rejection of claim 7 is incorporated and Ozaki teaches:

a display part configured to display an operation screen for requiring at least one of a playback, stop, pause, and special playback, with respect to the encrypted contents



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corresponding to the title selected by said operation part [Fig. 21 or 23, col. 17 lines 55-67].

As per claim 11, the rejection of claim 9 is incorporated and it encompasses limitations that are similar to limitations of claim 7. Thus, it is rejected with the same rationale applied against claim 7 above.

As per claim 12, the rejection of claim 11 is incorporated and it encompasses limitations that are similar to limitations of claim 8. Thus, it is rejected with the same rationale applied against claim 8 above.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Voyticky et al (US 6637028) – Integrated television and Internet information system.

Asano et al (US 2003/0095664) – Information recording/playback apparatus and method.

Javed (US 2001/0036271) – System and method for securely distributing digital content for short term use.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. The examiner can normally be reached on 8 am - 4:30 pm (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

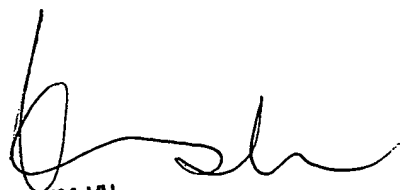
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***NBP***

***10/20/06***



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